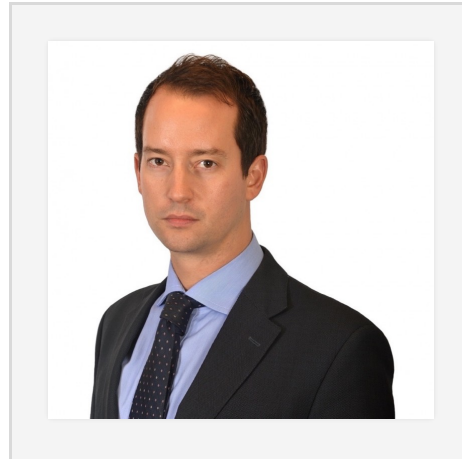


# James Weston

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Year of call: 2007

*“Robust in Court, excellent in commanding proceedings. Gets to the core issues swiftly, and is always willing to discuss instructions.”*



## Overview

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James Weston's practice focuses mainly upon clinical negligence, personal injury, historic abuse, inquests and police/regulatory matters.

He is regularly instructed in complex and high profile cases where the outcome has significant ramifications for the policies, reputations and resources of major public bodies, including local authorities and the police.

James often appears at Coroner's Inquests including cases involving alleged fault by treating clinicians, hospital trusts, social services and the police.

He also has a specialism in historic abuse claims and regularly deals with high value cases involving complex issues relating to quantum.

## Areas of expertise

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- Clinical Negligence
- Personal Injury
- Public Law
- Regulatory & Professional Discipline

## Clinical Negligence

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James is regularly instructed in complex claims involving alleged negligence by hospital medics, surgeons, GPs, nurses, dentists and other clinical professionals. He has particular expertise in cases involving delayed diagnosis, surgical injury and psychiatric issues.

He is also regularly instructed to appear at inquests including cases involving alleged fault by clinicians, hospital trusts and local authorities.

## Inquest & Judicial Review

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James is regularly instructed by interested persons to appear in Coroner's Courts throughout the country, including Inquests involving allegations of errors by hospitals and Article 2 inquests relating to the conduct of mental health services and others.

## Clinical Negligence Cases

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- Inquest into the death of David Joslin [2013] (Walthamstow Coroner's Court) Represented the deceased's family. Rule 43 recommendations to NICE and the relevant NHS Trust. This case attracted national television coverage.
- Byron v University Hospitals Coventry and Warwickshire NHS Trust [2014] Represented the Claimant in a successful claim for delayed diagnosis of her condition.
- Inquest into the death of Vera Grace Sutton [2012] (Walthamstow Coroner's Court) Represented the family of a patient who died as the result of an anastomotic leak following surgery. The claim was subsequently settled by the Trust.

## Personal Injury

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James appears in the High Court and County Court undertaking the full range of personal injury cases including complex multi-day multi-track matters. He has a particular specialism in representing Defendants in historic abuse cases and claims against the police.

James is also regularly instructed in cases involving public and employer liability including health and safety, industrial disease, stress at work and highways claims. He has experience in multi-party litigation. He also regularly advises on discrete issues of limitation and fraud. James is also experienced at dealing with high value claims involving multiple expert witnesses and complex issues relating to quantum.

## Abuse

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James is instructed by Defendants in historic abuse claims including cases involving religious institutions and schools. His experience in conducting care proceedings for local authorities means that he is adept at negotiating children's services files in failure to remove claims. Similarly his earlier career in the criminal courts has given him extensive experience in cross-examining complainants in relation to allegations of sexual abuse.

## Actions Involving The Police

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James is regularly instructed by police forces in a wide range of civil actions including allegations of false imprisonment, unlawful arrest, misfeasance in public office, malicious prosecution and breach of human rights claims.

He is also often instructed at short notice to provide urgent advice in relation to current investigations, such as the legality of searches in high profile cases, the detention of suspects and potential breaches of human rights.

He also represented a police force in the first ever application for committal to prison for breach of a Forced Marriage Protection Order *Bedfordshire Police Constabulary v RU and Another*, [2013] EWHC 2350 (Fam), July 2013) and has experience of securing other hybrid orders for the police.

## Inquests

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James is regularly instructed by interested persons in Article 2 and non-Article 2 inquests, including proceedings that have attracted national television coverage (for example the Inquest into the death of David Joslin (Walthamstow Coroner's Court) [2013]). He has particular expertise in cases involving the police, mental health units and social services.

## Personal Injury Cases

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- Hawes v Harlow District Council and Essex County Council [2014] HC QBD Represented the Second Defendant in the RCJ before Sir Robert Francis QC in a complex dispute concerning the jurisdictional responsibilities of local authorities.
- Roman v Commissioner of the Police of the Metropolis [2014] Successfully defended the police in a recent civil action arising from seizure of property by officers.
- Steven Morris v Tara Jamieson [2014] Secured a six figure sum and an order for provisional damages following the Claimant's complex leg injury.

## Public Law

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James is regularly instructed for Article 2 Inquests and judicial reviews, particularly involving the conduct of police forces and mental health services.

He was also recently instructed by a major international body to challenge, via the First Tier Tribunal, a statutory investigation launched by the Charity Commission.

James also has a thriving police practice. He is regularly instructed by police forces in a wide range of matters and is often asked to provide urgent advice in relation to current investigations on issues such as searches in high profile cases, the detention of suspects and potential breaches of human rights. He represented the Bedfordshire Police in the first ever application for committal to prison for breach of a Forced Marriage Protection Order.

## Public Law Cases

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- Inquest into the death of Christopher Ajayi (Southwark Coroner's Court) July 2014 – Article 2 inquest concerning the death of Mr Ajayi after discharge from a mental health unit.
- Bedfordshire Police Constabulary v RU and Another, [2013] EWHC 2350 (Fam) On behalf of Bedfordshire Police in the first ever application for committal to prison for breach of a Forced Marriage Protection Order.

## Regulatory & Professional Discipline

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James' general areas of practice cross over into the realm of regulatory work.

He was recently instructed by a major international body to challenge, via the First Tier Tribunal, a statutory investigation launched by the Charity Commission. On the financial side, James has been involved in the investigation of major banks and investment funds by regulatory authorities.

He also has a thriving police practice. He is regularly instructed by police forces in a wide range of matters and is used to providing urgent advice in relation searches, seizures and other elements of ongoing police investigations.

## For more information please contact:

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